

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

MARK L. KROTOSKI (CABN 138549)
Chief, Criminal Division

JULIE A. ARBUCKLE (CABN 193425)
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7102
Facsimile: (415) 436-7234
E-mail: julie.arbuckle@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 07-0169 JSW |
| |) | |
| Plaintiff, |) | STIPULATION AND PROPOSED |
| |) | ORDER EXCLUDING TIME |
| v. |) | |
| |) | |
| LAFAELE FETALINA, |) | |
| |) | |
| Defendant. |) | |

On April 26, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from April 26, 2007 to May 17, 2007 for effective preparation in that both parties' counsel required adequate time to obtain and review additional relevant discovery. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the

///

///

1 defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

2
3 SO STIPULATED:

4 SCOTT N. SCHOOLS
5 United States Attorney

6 DATED: April 26, 2007

7 /s/
JULIE A. ARBUCKLE
Assistant United States Attorney

8 BARRY PORTMAN
9 Federal Public Defender

10 DATED: April 26, 2007

11 /s/
BARRY PORTMAN
Attorney for Defendant Lafaele Fetalina

12
13 As the Court found on April 26, 2007, and for the reasons stated above, the Court finds that
14 the ends of justice served by the continuance outweigh the best interests of the public and the
15 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
16 calculations from April 26, 2007 to May 17, 2007 for effective preparation of counsel. See 18
17 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny counsel
18 reasonable time necessary for effective preparation, taking into account the exercise of due
19 diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

20
21 SO ORDERED.

22
23 DATED: May 1, 2007

24 
Jeffrey S. White
United States District Judge